

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 07-2022

Council Meeting Date: February 1, 2022

TO: Mayor Weber and Members of Council
FROM: Stephanie Troyer-Boyd, Director of Corporate Services
RE: Request to Purchase Municipal Property – Parkinson Street

RECOMMENDATION:

THAT Report CL 06-2022 – Request to Purchase Municipal Property be received; and

THAT Part of Parkinson Street, Plan 17, more particularly described as follows:

COMMENCING at the intersection of the easterly limit of Poplar Avenue and the northerly limit of Parkinson Street shown on Registered Plan 17;

THENCE north sixty-two degrees fifty-three minutes east (N62 degrees 53'E) along the northwesterly limit of Parkinson Street as shown on Registered Plan 17, a distance of one hundred and eighty-six point zero five feet (186.05');

THENCE south forty-five degrees twenty-seven minutes east (S45 degrees 27'E) a distance of twenty-nine point three one feet (29.31') to the north westerly limit of Parkinson Street as shown on Registered Plan 36;

THENCE south sixty-two degrees fifty-three minutes west (S62 degrees 53'W) along the northwesterly limit of Parkinson Street as shown on Registered Plan 36 a distance of two hundred point seven two feet (200.72') to the intersection with the southerly production of the Easterly limit of Poplar Avenue;

THENCE north sixteen degrees zero two minutes west (N 16 degrees 02"W) along the aforesaid southerly production of the easterly limit of Poplar Avenue, a distance of twenty-eight point three five feet (28.35") to the point of commencement of the herein described parcel" be stopped up and closed; and

THAT the land described above be declared surplus to the needs of the municipality; and

THAT land described be sold directly to the abutting landowner(s) in accordance with Section 4(iv) of Policy #43 – Sale and Other Disposition of Land.

SUMMARY

The purpose of this report is to provide information on a request to purchase municipal property in accordance with Policy #43 – Sale and Other Disposition of Land.

BACKGROUND

In 2017, the municipality sold a portion of Riverside Drive (formerly Parkinson Street, Registered Plan 17) Part 4, Plan 25R364 in Port Franks to 2082201 Ontario Inc. and it was merged with the adjacent property. (see attached). The property has now been sold and the solicitors involved in the sale have noted that there was a portion of the former Parkinson Street that was not included in the sale.

The solicitor is requesting the remaining/unsold portion of the former Parkinson Street be stopped up and closed, declared surplus and sold to 2082201 Ontario Inc. in order to finalize their sale. It is believed that it was the intention of the municipality to convey the entire frontage to 2082201 Ontario Inc. in 2017.

To proceed, the municipality must first stop up and close the remaining portion of Parkinson Street (yellow). As well, the property will need to be declared surplus to the needs of the municipality, notice must be given in accordance with Policy #43 and a price for the property determined.

After the expiry of the notice period, a further report will be presented to Council outlining any comments received as a result of the public notice. At that time, Council will also be provided with the value of the land to be disposed of which will be determined in accordance with Policy #43. Council will be asked to make a decision on the cost at that time.

ALTERNATIVES TO CONSIDER

No alternatives have been considered.

RECOMMENDED ACTIONS

Staff recommend that the subject property be declared surplus to the needs of the municipality and that notice of the proposed sale be given to the public in accordance with the Lambton Shores Notice By-law and Policy #43. After the expiry of the notice period, a further report will be presented to Council outlining any comments received as a result of the notice. At that time, Council will also be provided with the value of the land to be disposed of which will be determined in accordance with Policy #43. Council will be asked to make a decision on the cost at that time

FINANCIAL IMPACT

There is no financial impact to the municipality as the purchaser will be responsible for all costs associated with the sale. In accordance with Policy #43, the applicant will be required to provide a \$1000.00 deposit before staff proceed any further with the request.

CONSULTATION

Will Nywening, Senior Planner
Solicitor for the purchaser